



State of South Carolina Office of the Governor

MARK SANFORD
GOVERNOR

POST OFFICE BOX 12267
COLUMBIA 29211

May 28, 2010

The Honorable André Bauer
President of the Senate
State House, First Floor, East Wing
Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval S. 836, R. 222, which criminalizes certain activities committed while on the Riverbanks Park's property.

Before we address the merits of S. 836, we want to recognize the Riverbanks Parks Commission for the Park's success and express our appreciation for the Park's contribution to our state. We also appreciate the important role that the Park's staff and law enforcement play in maintaining the Park's peaceful, family atmosphere. However, this bill outlines a long list of Park-related crimes that are redundant to existing state and local laws. It also creates new crimes which we believe are unreasonable and because we believe S. 836 duplicates existing law and overreaches in other areas, we are unable to support this bill.

Currently, the Parks Commission has the authority to create rules defining the bounds of acceptable behavior within the Park. The Commission may also hire its own police force to enforce these rules, and, in more extreme cases, the Park may coordinate with local law enforcement to address disruptive or criminal behavior. A brief look at the Park's practical experience shows that the Park's staff and police officers from the City of Columbia and the City of West Columbia have successfully responded to incidents at the Park in the past. As we researched this bill, the City of Columbia Police Department informed us that they currently enforce laws that address the same behaviors outlined in S. 836 – such as speeding on Park's property, trespassing, public intoxication, underage drinking, vandalism, littering, arson, and other criminal laws. The City of Columbia Police Department also stated that they were not aware of any problems regarding the enforcement of existing laws or any jurisdictional issues.

Additionally, to our knowledge, S. 836 would make the Riverbanks Parks Commission the only special purpose district in the state to have its own laws criminalizing certain conduct, and we believe that carving out an exception for the Commission sets a precedent that would allow for a quiltwork of differing civil and criminal penalties at locations like these. Because the existing

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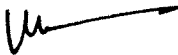
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laws give the Commission rulemaking authority, and because the existing law enforcement framework is capable of addressing the problems that brought forth this legislation, we do not see the need for S. 836.

For these reasons, I am vetoing and returning without my approval S. 836, R. 222.

Sincerely,

A handwritten signature in black ink, appearing to be 'M. Sanford', with a long horizontal stroke extending to the right.

Mark Sanford